



## BOB ZIEGELBAUER

STATE REPRESENTATIVE • TWENTY FIFTH ASSEMBLY DISTRICT

Committee on Urban & Local Affairs  
Representative Terese Berceau, Chair  
Thursday, October 22, 2009, Noon, 300 Northeast  
Support for Assembly Bill 312

Chairwoman Berceau and Committee Members:

Thank you for scheduling this hearing on Assembly Bill 312 and for your consideration of it. I am presenting this bill today at the request of the League of Wisconsin Municipalities.

Since the days of the Kettl Commission (a bi partisan commission of 32 members appointed by Governor Tommy Thompson in 2000 to rethink what Wisconsin state and local government does and how it can do it better) there has been a great deal of talk about the potential benefits of local governments consolidating services. One powerful idea that came from these discussions relates to giving communities the option of combining police and fire departments into consolidated public safety departments. From page 88 of the Wisconsin Blue-Ribbon Commission on State-Local Partnerships for the 21<sup>st</sup> Century Report, January 2001:

*In other areas, there are statutory barriers that prevent communities from cross-training their police and fire officers. There are other barriers that hinder the merger of these departments into public safety departments. The Commission does not wish to impose these mergers, but it does believe that communities wishing to cross-train or merge these departments ought to be free to explore those options. The Commission recommends that, 128. Statutes restricting the ability of municipalities to cross-train their police and fire officers ought to be repealed. Statutes restricting the merger of police and fire departments ought to be repealed. (The full report can be found at: <http://www.lafollette.wisc.edu/publicservice/reform/Default.htm>)*

This particular idea is attractive to many because police officers and firefighters are among the most expensive (and highly trained) municipal employees, while additional public safety resources are often scarce. This also happens at a time when the frequency and severity of fires, especially in small communities, is diminished due to improvements in building design and fire prevention. Many believe that this type of public safety consolidation has the potential to allow timely reallocation of otherwise unused firefighting and/or law enforcement resources to the pressing public safety need at hand by cross-training talented employees in both disciplines. It is also attractive in this time of tight budgets as a potential way to contain spending while expanding services.

Unfortunately, current law as interpreted by the Wisconsin Supreme Court (in *Local Union No. 487, IAFF-CIO v. City of Eau Claire*, 147 Wis. 2d 519 (1989)) prevents cities from even considering as an option consolidation of police & fire departments into one unified public safety department with cross-trained professionals capable of serving both traditional police and firefighting functions.

Please keep in mind that this bill would merely **allow** 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> class cities (but not Milwaukee) to **consider** police and fire department consolidation. Because of their inherent complexity, consolidation decisions will likely be undertaken by a city only after very deliberate consideration and consultation with their entire community.

Thank you again for your consideration. I am happy to answer any questions you may have.

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**To: Assembly Committee on Urban & Local Affairs**  
**From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities**  
**Date: October 22, 2009**  
**Re: Support for AB 312**

The League of Wisconsin Municipalities strongly supports AB 312, authorizing municipalities to either combine their police and fire departments into a single protective services department or require that police officers and fire fighters be cross trained. The bill overturns a 1989 Wisconsin Supreme Court decision holding that municipalities must maintain completely separate police and fire departments.

AB 312 gives municipalities the flexibility and freedom to cross-train their police and fire officers or merge their police and fire departments. It also would clarify that a municipality could have a single management team manage both the police and fire departments. Providing municipalities with such options would allow communities to organize their public safety services in the most efficient and cost effective manner they see fit.

The changes made by AB 312 were recommended by the Kettl Commission. Specifically, Recommendation #128 of the Commission on State-Local Partnership for the 21<sup>st</sup> Century provides as follows: "Statutes restricting the ability of municipalities to cross-train their police and fire officers out to be repealed. Statutes restricting the merger of police and fire departments ought to be repealed."

For these reasons we urge you to recommend passage of AB 312. Thanks for considering our comments on this important piece of legislation.